

CITY COUNCIL MINUTES

November 17, 2014

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, November 17, 2014 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President John Friend presiding and conducting the following business.

This is not a verbatim transcript. Audio recordings of this meeting are on file in the City Clerk's Office.

President Friend: The Honorable Council of Evansville is hereby called to order. Madam Clerk, please call the roll.

ROLL CALL:

Present: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: With nine (9) being here, nobody (0) absent, we have official meeting this evening.

PLEDGE OF ALLEGIANCE

Now Pledge of Allegiance, Mr. Danks.

President Friend: Well fellow Councilmen and those in the audience, welcome one and all to the November 17, 2014 meeting of the Evansville City Council.

RECOGNITION OF SCHOOLS

We have that in the audience? Oh yes, yes. Please state your name.

Xavier Johnson: I'm Xavier Johnson. I'm a senior at North High School.

President Friend: Great school, great school. Teen Advisory Committee, no?

COUNCIL ATTORNEY

Tonight welcome Mr. Danks is our City Attorney. Thanks for coming.

SERGEANT AT ARMS

Tonight our Sergeant at Arms is Lt. Kirby. Thanks for comings.

REPORTS AND COMMUNICATIONS

IN YOUR NOVEMBER 14th PACKET:

- * City Council Meeting Agenda and Committee Meeting Schedule for November 17, 2014
- * Ordinances G-2014-29 Amended, F-2014-22, F-2014-23, F-2014-24, R-2014-26, R-2014-27 and R-2014-28
- * Resolutions C-2014-36, C-2014-37, C-2014-38 Docket, C-2014-39, C-2014-39 Amended and C-2014-40 Docket
- * Adopted 2015 Capital Improvement Plan

ON YOUR DESK THIS EVENING:

- * Extended Agenda
- * Ordinances G-2013-31 and R-2014-22 Amended

President Friend: A motion to receive and file and make these reports and communications a part of this meeting.

Councilman O'Daniel: So moved.

Councilwoman Mosby: Second.

President Friend: I had a motion by Councilman O'Daniel, seconded by Councilwoman Mosby. Ayes? Nays? *(Unanimous Ayes)* Goes forth.

CONSENT AGENDA

FIRST READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE F-2014-22 **FINANCE** **O'DANIEL**

An Ordinance to Amend the Sewer Rates and Charges for the City of Evansville, Indiana

ORDINANCE F-2014-23 **FINANCE** **O'DANIEL**

An Ordinance of the Common Council of the City of Evansville Authorizing Transfers of Appropriations, Additional Appropriations and Repeal and Re-Appropriation of Funds for Various City Funds

ORDINANCE F-2014-24 **FINANCE** **O'DANIEL**

An Ordinance of the Common Council of the City of Evansville Authorizing Appropriation of Funds within a City Department (DMD)

RESOLUTION C-2014-36 **FINANCE** **O'DANIEL**

A Resolution of the Common Council of the City of Evansville Confirming the Declaration of an Economic Revitalization Area for Property Tax Phase-In for the Construction of Real Property and the Acquisition and Installation of New Equipment (Mead Johnson & Company, LLC 2404 W. Lloyd Expressway, Evansville, Indiana)

RESOLUTION C-2014-37 **FINANCE** **O'DANIEL**

A Resolution of the Common Council of the City of Evansville In Support of Economic Development Incentives Offered to Mead Johnson & Company, LLC by the City of Evansville to Expand Operations in the Facility at 2404 W. Lloyd Expressway, Evansville, Indiana 47710

RESOLUTION C-2014-39 AMENDED **PUBLIC WORKS** **LINDSEY**

A Resolution Renaming a Certain Section of a Street/Roadway "Rick Davis Way"

President Friend: Is there a motion to accept the amendment to Resolution C-2014-39 Amended?

Councilman Lindsey: So moved.

President Friend: I had a motion made by Councilman Lindsey and seconded by Councilwoman Brinkerhoff-Riley. Ayes? Nays? *(Unanimous Ayes)* Goes forth.

President Friend: Need a motion to adopt the Consent Agenda as written.

Motion made by Councilwoman Brinkerhoff-Riley; seconded by...?

Councilwoman Robinson: *(Off Mic)* Second.

President Friend: By Councilwoman Robinson. Ayes? Nays? *(Unanimous Ayes)* That goes forth.

CONSENT AGENDA

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2014-29 AMENDED PUBLIC WORKS BRINKERHOFF-RILEY, MCGINN, MOSBY, WEAVER
An Ordinance Amending Chapter 8.40 (Registration of Residential Rental Buildings) of the Evansville Municipal Code

RESOLUTION C-2014-35 FINANCE O'DANIEL
A Preliminary Resolution of the Common Council of the City of Evansville Declaring an Economic Revitalization Area for Property Tax Phase-In for the Installation of New Equipment (Fisher & Company)

COMMITTEE REPORTS:

FINANCE COMMITTEE:

CHAIRMAN O'DANIEL

Chairman O'Daniel: Mister President, your Finance Committee met this evening to hear *Resolution C-2014-35* and it comes forward with a do-pass recommendation.

PUBLIC WORKS COMMITTEE:

CHAIRMAN LINDSEY

Chairman Lindsey: Mister President, your Public Works Committee met this evening to hear *Ordinance G-2014-29 Amended* and it comes forward with a do-pass also.

President Friend: A motion to adopt the Committee Reports and move the Ordinances...

Councilwoman Mosby: So moved.

President Friend:...Resolutions to Third Reading? Okay I had a council...I mean I had a Councilwoman Mosby make a motion, seconded by?

Councilwoman Brinkerhoff-Riley: Second.

Comments made prior to casting their respective votes:

Councilman McGinn: Kelly, welcome to Evansville. We thank you for being here. I vote aye.

Councilman Adams: Great project. I vote aye.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: With nine (9) Ayes, zero (0) Nays of Resolution C-2014-35 is now law.

RESOLUTION DOCKET

RESOLUTION C-2014-38 DOCKET FINANCE O'DANIEL

A Resolution of the Common Council of the City of Evansville, Indiana, Directing the Undertaking of a Continuing Disclosure Review and Authorizing Participation in the Municipalities Continuing Disclosure Cooperation Initiative

President Friend: Motion to adopt Resolution...

City Attorney Ziemer: *(Off Mic) (Inaudible)*

President Friend: Oh, I'm sorry.

City Attorney Ziemer: *(Off Mic)*...discussion.

President Friend: No disc...oh, I'm trying to speed this along.

City Attorney Ziemer: Good evening Mr. President and members of the City Council.

President Friend: Thanks for coming out.

City Attorney Ziemer: I'm Ted Ziemer, the Corporate Council for the City of Evansville and the attorney for Evansville Water & Sewer Utility.

We have not had established in the City of Evansville the rates and charges for...no, excuse me...

Councilman O'Daniel: Wrong one.

City Attorney Ziemer: That was another one.

Councilman O'Daniel: Wrong one.

City Attorney Ziemer: Too many. The Securities and Exchange Commission has been doing a study over the last, oh 10 to 15 years relative to continuing disclosures made by municipalities in connection with bonds that are issued by the municipalities, and as a result of that study it has determined, that is the SEC has determined, that there are some municipalities that have failed to make appropriate disclosures relative the city's finances or other factors having to do with the issuance of the bonds. It has determined that, and they're calling this the MCDC, it sounds like some Roman numerals or something, but it's the Municipalities Continuing Disclosure Cooperation Initiative and what they're doing is giving cities the opportunity to review their bond issues over that same period of time, 10 to 15 years, to determine whether, in the opinion of the municipality, there have been any sub...any substantial or material failures to disclose information in connection with bond issues. This Resolution will authorize the City of Evansville to proceed with a review of its disclosures and bond issues over the last 10 years or so and to determine, in conjunction with bond counsel and the economic advisors for the City, in this case Umbaugh, whether there have been any material failures to disclose information in connection with bond issues. I'll tell you now we don't think that there have been any for the City of Evansville and we have a conference call, which is set for tomorrow afternoon, or I think Wednesday afternoon, with Umbaugh to review their findings. What this does is authorize the City to continue with the review of its disclosures in connection with bond issues and then we'll be reporting back to this Council and we'll also determine whether or not to participate in the MCDC Initiative of the Securities and Exchange Commission. This doesn't require any affirmative action on the part of the City, only authorizes action, and we think it's appropriate to be done in one meeting.

President Friend: Ted, I've been reading some stuff through my profession. I think a lot of this is the old push for GASB34, I believe. Is this continuation, you think Russ, of that?

City Controller Lloyd: *(Off Mic)* It's separate.

President Friend: Is it a separate...separate deal? 'Cause I know with the 34s I've been reading they been trying to advance that forward and that's going to be a...that's a technical aspect of our financials which would have contingencies and all that but you don't think we have that problem *(Inaudible)*.

City Attorney Ziemer: None. We don't think we have any but we want to do the study so we need authorization to do that.

Councilman Adams: Do we get a copy of the study when it gets done?

City Attorney Ziemer: I don't know that there'll be actually a copy of something but I'll be glad to come and make a report to Council...

Councilman Adams: Great.

City Attorney Ziemer:...as to whether or not there were any material violations...

Councilman Adams: Okay.

City Attorney Ziemer:...in our opinion, yeah.

Councilwoman Brinkerhoff-Riley: Does this include Water & Sewer?

City Attorney Ziemer: Yes.

Councilwoman Brinkerhoff-Riley: But this is voluntary.

City Attorney Ziemer: It's any bond issues of the City.

Councilwoman Brinkerhoff-Riley: Okay. And when you're done, you'll make a decision as to whether to participate. Is that what I heard you say?

City Attorney Ziemer: Yes, in the SEC's program, which is called the Municipals...the Municipalities Continuing Disclosure Cooperation Initiative,...

Councilwoman Brinkerhoff-Riley: Okay.

City Attorney Ziemer:...and it gives us the opportunity to make disclosures if we think there's anything to disclose. As with everything involving the federal government, if you make disclosure of one thing you may open yourself up for something else so we're going to look at this very carefully before we decide whether to participate or not.

Councilwoman Brinkerhoff-Riley: And you're going through Umbaugh for this?

City Attorney Ziemer: I beg your pardon?

Councilwoman Brinkerhoff-Riley: Umbaugh...

City Attorney Ziemer: Yes.

Councilwoman Brinkerhoff-Riley:...and Associates.

City Attorney Ziemer: Umbaugh is advising us on this.

Councilwoman Brinkerhoff-Riley: What's the projected cost of this program?

City Attorney Ziemer: I don't know the answer to that but it is something we need to do and so whatever it's costs is money well spent rather than face a complaint by the Securities and Exchange Commission that we didn't make material disclosures in connection with any of our bond issues.

Councilwoman Brinkerhoff-Riley: No, I understand but you don't think there are really any issues. I just...do you...you have no idea what the cost is but where will the funds come from to pay it once you know?

City Attorney Ziemer: *(Off Mic)* Oh, I don't know. Russ, do you know that?

City Controller Lloyd: It'd be prorated between the City bonds and the Utility bonds so the Utility would pay part of it, the City would pay part of it.

Councilwoman Brinkerhoff-Riley: Where would the City...this isn't budgeted for in '15, is it?

City Controller Lloyd: It would be Contractual Services, either Local Income Tax or Finance Department for the City-side. For Utility, it'd be Contractual Services.

Councilwoman Brinkerhoff-Riley: Do you believe that you have the money budgeted for '15 already to do this?

City Controller Lloyd: Yes. I mean I don't...I don't think this is going to be a large expenditure of their time. Couple hours, several hours, something like that.

Councilwoman Brinkerhoff-Riley: Couple hours, several hours of...what is that, a thousand bucks?

City Controller Lloyd: Could be.

Councilwoman Brinkerhoff-Riley: All right, thank you.

President Friend: Can I ask you one thing? Is there a website that people in the audience, we, could go to? Surely, they got some data out there that's on what this is all about.

City Attorney Ziemer: You know, I don't know that there is. I don't think the SEC maintains a website covering these kinds of, perhaps, material disclosures. I...I...you know anybody that wants to go to try to look it up, they certainly are entitled to do that. I think people would be better served if they just waited. In about one month, we'll be back here again to tell you exactly what we found.

President Friend: I would say that if you went to the iacpa.com... .org website and you typed that in you might find something *(Inaudible)*.

City Attorney Ziemer: Anybody that wants to go to that trouble is certainly welcome to do that.

President Friend: Well, that's what I pay my dues for.

Councilwoman Brinkerhoff-Riley: *(Off Mic)* So you're going to do it this year. You don't have to *(Inaudible)*.

City Attorney Ziemer: Beg your pardon?

City Controller Lloyd: Yes.

Councilwoman Brinkerhoff-Riley: *(Off Mic)* You're going to do it this year *(Inaudible)*.

City Attorney Ziemer: Yes.

City Controller Lloyd: It's MCDC Initiative. You could try that. I'm sure there's a lot of information on the web on that.

President Friend: Is there any questions? Thanks Ted, coming out.

City Attorney Ziemer: You're welcome.

President Friend: Appreciate it. Well, with that...with that discussion, I entertain a motion...oh before I go do anybody in the audience about this? Okay, for or against?

A motion to adopt Resolution C-2014-38?

Councilman Weaver: So moved.

President Friend: Okay.

Councilman O'Daniel: Second.

President Friend: I had a motion made by Councilman Weaver and seconded by Councilman O'Daniel. Madam Clerk, please call the roll.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: Nine (9) Ayes, zero (0) Nays, the Docket Resolution C-2014-38 is hereby declared adopted.

RESOLUTION DOCKET

RESOLUTION C-2014-40 DOCKET

FINANCE

O'DANIEL

A Resolution of the Common Council of the City of Evansville Approving an Asset Purchase Agreement By and Between the City of Evansville By and Through its Water and Sewer Utility Department and Todd Carpenter as Receiver for and on Behalf of Old State Utility Corporation

Assistant City Attorney Mufti: Good evening, Osman Mufti with the City Attorney's Office and with me is Allen Mounts. This is just a simple consent resolution to enter into an asset purchase agreement with the Receiver for Old State Utility. This matter has been going on for several months, if not years...

Utility Director Mounts: Years.

Assistant City Attorney Mufti:...and where we have a judgment against Old State Utility in exchange for acquiring all their assets since they are now defunct and this resolution would give City Council consent to...for Water & Sewer to enter into the asset purchase agreement.

Utility Director Mounts: For the Council's benefit let me give you a little bit more background information. This is a utility that when the developer put in the system it was the sewer lines and manholes that was never turned over to the City to maintain so it dates back, I don't know to what date, but the owner of the utility was not paying the utility bills so the Utility took the Old State Utility to the Superior Court, sued for back money that was owed to the Utility. The court rendered a judgment in favor of the Evansville Water & Sewer Utility and also directed that it be placed into receivership and removed all authority for decision making from the private party that owned it. The Old State Utility falls under the...fell under the Indiana Utility Regulatory Commission and they issued a cause also supporting that a separate surcharge be established but rates be based on what they were, in effect, in 2009 at the time. They also directed Old State Utility to work with the Commission on a possible sale of Evansville. There were no other buyers to step forward. The prior owner wanted to take it back over. The IURC did not want that, the Superior Court did not want that, so we navigated through the approval processes with the court for the Evansville Water & Sewer Utility and with the IURC to get authorization to do the asset purchase agreement, which is fundamentally paying \$1.00 for the sewer lines and manholes that are in the ground there. Obviously, the Evansville Water & Sewer Utility is very capable of managing the system. There isn't another party out there that can do that. The system is getting into disrepair and so with our expertise we'll be able to go back in and fix it but one of the things that the Office of Utility Consumer Councilor, which is the consumer advocacy agency before matters go before the IURC, recommended that not only do we move forward with Evansville acquiring it but that a separate surcharge be established for the utility customers, the Old State Utility customers.

So this Asset Purchase Agreement completes that process of it. There'll be a subsequent phase relative to looking at...we've already done some preliminary assessments on what it'll take to fix the system and then I'd come back before the Council after several weeks or a couple months with a request for a surcharge to repair the system that's in place there.

The court has said that should we not approve the asset purchase agreement he would return it to the former owner. The IURC said, "This is somebody that put it into disrepair". They don't want to do that but the court said if nobody else is going to take it over they'll sent it back to the prior owner, who didn't pay the bills and didn't take care of system.

So with that, we are in the final stages of closing on that agreement but we need City Council approval before we can complete that. We will then move forward with closing the asset purchase. Their...Old State Utility will cease to exist. For IURC purposes, they'll fall under our permits operationally and then it's ours.

So I'd be happy to answer any other questions you may have.

President Friend: Do you...what kind of capital do you see we have to inject into this? Numbers?

Utility Director Mounts: Right now, preliminary estimates, we've gone out and done site assessments and it's about a million dollars but the million dollars would be paid for by...before we would spend the million dollars we would come back and establish a what's called a surcharge or separate rate. It's a debt service surcharge for the million dollars in repairs that we'd have to do, assuming that's where we finally land, but it's close to that. And then the utility customers would be charged a flat rate as a surcharge for basically 20 years for the debt service on that. The utility customers for Old State Utility pay a flat surcharge today and have been paying it since the IURC mandated that they do that back in 2010. So the surcharge that we're estimating would probably be close to the surcharge they're currently paying; it's a little over \$40.00 so...

President Friend: Do you...

Utility Director Mounts: That's a month, uh-huh.

President Friend: Do you see this coming out of cash balances?

Utility Director Mounts: No, it'd actually be...we can use bond proceeds that we have in place today and we'll use the interest rate for that bond proceeds and then the debt service would go towards paying toward that bond payment John.

President Friend: Okay.

Councilman Adams: Would the Shady Hills people be the only people that got that surcharge or would the public at large have that?

Utility Director Mounts: No, it's just this defined area of specific Old State Utility customers would be...and there's about 140-something of those so they'll be carved out. Once the asset purchase agreement, we'll actually move them into our rate structure, which would bring them from 2009 rates to 2015 rates probably by the time this is in place. So there will be...right now they're three rate increases behind so they'll be some catch-up there, and then as my discussions with the OUCCC...OUCC is that they thought it was appropriate that those utility customers fund the repairs that are necessary, so that would require Council approval and under current regulations, I'd have to take that to the IURC for approval. So it's going to take some time but there's not going to be much that's happening during the winter months here so we've got some time to do that.

President Friend: You don't see any impact on our...on the deal with what we're dealing with the EPA now? Nothing like that?

Utility Director Mounts: Well actually, it would be favorable for us to assume responsibilities because I don't see it impacting the deal we're doing with them. But from what we've seen, the disrepair on their system, they have some illegal connections to their sewer lines, meaning downspouts into a sanitary line, which is not sized for that, and broken pipes so that's what we would repair so it'll reduce the amount of inflow that's coming into our system so it will benefit us to repair the system.

President Friend: Well 'cause you remember we had to go in and start cleaning out some of our sewer lines. Will this add to the maintenance side of it?

Utility Director Mounts: It does but the million dollars is funding the repairs and so once we've brought the system basically up to our standard on a going-forward basis it's got more extended life so it's going to be a ways down the road before we'd actually have to do any cleaning of the lines, if you will, other than technically we are supposed to clean the lines every seven years under the consent decree so it would be included in that but to give you some context it's about...it's less than three thou...three miles of line. It's about 14,000 feet of line. We've got 830 miles of sewer line here so it's a relatively small component.

Councilwoman Brinkerhoff-Riley: I have a...so these are customers currently of Old State Utility who has its own lines but they pay you, or they weren't but they were supposed to be paying you, to put it into your system.

Utility Director Mounts: The Old State Utility, as an entity, now through the Receiver is paying us for the sewer bill based on the rates that are established by the IURC. We send the

Old State Utility Receiver a master bill with all their customers and then they rebill to their customers. What they collect then they turn around and pay us the bill.

Utility Director Mounts: So they're already paying or they're already billed the surcharge that is charged to County residents.

Utility Director Mounts: They already ha...they...it was based on 2009 rates, which had the surcharge in place.

Councilwoman Brinkerhoff-Riley: Had, yes, did have a surcharge in place.

Utility Director Mounts: Did have...had the surcharge in place but it's three rate increases behind.

Councilwoman Brinkerhoff-Riley: Sure.

Utility Director Mounts: Going forward...

Councilwoman Brinkerhoff-Riley: But they're already paying a surcharge and when their rates hit '15 rates for the average person in the County, that's about \$40.00. Is that correct?

Utility Director Mounts: I...

Councilwoman Brinkerhoff-Riley: That's what I heard you say but it's *(Inaudible)* \$30.00, \$40.00 a month is what they're paying...

Utility Director Mounts: I can't recall.

Councilwoman Brinkerhoff-Riley:...and when you talk about a surcharge now to the customers on the million dollar bond over 20 years, how does that translate? I mean how many dollars a month are these customers going to paying in the second surcharge?

Utility Director Mounts: That's what we have to finalize the rate determination on but based on if we used a million dollars to pay for that and the debt service on that is going to be comparable to the surcharge they're paying today, which is...

Councilwoman Brinkerhoff-Riley: So maybe they're going to be paying \$80.00 a month in addition to their sewer bill.

Utility Director Mounts: The current surcharge is \$43.39 that they're paying...

Councilwoman Brinkerhoff-Riley: So that could double.

Utility Director Mounts:...and we're going to be in that ballpark is what I estimate that we're doing.

Councilwoman Brinkerhoff-Riley: So these people are looking...I mean you're going...plus you're going to '15 rates; they're three rate increases behind. So you have these 140ish...and I understand they live in the county, but these 140ish people are looking at \$100.00 increase.

Utility Director Mounts: They are but there isn't another party to purchase the *(Inaudible)*.

Councilwoman Brinkerhoff-Riley: No, no I understand. I just want to clar...

Utility Director Mounts: Yeah.

Councilwoman Brinkerhoff-Riley: It is what it is but I'd like to understand.

Speaking Simultaneously

Utility Director Mounts: It is what it is. It's probably going to be close to \$90.00 a little over \$90.00 on a typical bill is what I'm estimating.

Councilwoman Brinkerhoff-Riley: Is what'll be in addition...

Utility Director Mounts: Yeah, yeah. And today they're around \$74.00 *(Inaudible)*.

Councilwoman Brinkerhoff-Riley: So they're going to see a \$90.00 increase.

Utility Director Mounts: No, they're going to go from \$70...if I do the pro forma on this, they would go from, on a pro forma basis, \$73.63 to \$93.14, which is a \$19.51 increase.

Councilwoman Brinkerhoff-Riley: Plus the surcharge on the *(Inaudible)*.

Utility Director Mounts: That includes the surcharge in there.

Councilwoman Brinkerhoff-Riley: You do? Okay, so when they pay \$74.00, they're already paying \$30.00 or \$40.00 for their current...

Utility Director Mounts: They're paying \$26.00 today and had they been paying 2000...I'll just roll this forward to 2015 rates, they'd be paying \$42.64.

Councilwoman Brinkerhoff-Riley: Okay, so okay. And when you're talking about buying the Old Stone...Old Stone...Old State Utility for a dollar...

Utility Director Mounts: Uh-huh.

Councilwoman Brinkerhoff-Riley:...are we...I understand we have a judgment for \$130,000 but what are the odds of collecting that judgment?

Utility Director Mounts: They have no assets.

Councilwoman Brinkerhoff-Riley: Right, so we're not going to get it.

Utility Director Mounts: We're not going to get it.

Councilwoman Brinkerhoff-Riley: We'll just take it and...

Utility Director Mounts: We'll just take it. It's better for us to at least get 'em on 2015 rates going forward, then we've got the revenue coming in 'cause there's a huge gap between that today and *(Inaudible)*.

Councilwoman Brinkerhoff-Riley: Okay, I'm sorry and that makes sense 'cause they're already paying the current surcharge, okay, so I understand now, when you're talking about a rate increase. Okay, thank you.

Councilman Weaver: Hey Allen, just brainstorming. The town of Darmstadt is on a separate sewer system too, aren't they?

Utility Director Mounts: They are. It's a low-pressure system but it's for the town of Darmstadt.

Councilman Weaver: Twenty years from now are we going to have to worry about the same problem with them?

Utility Director Mounts: I have no idea.

Councilman Weaver: All right, anyway.

Utility Director Mounts: I...sorry. It's their system that they...we receive their wastewater and then we treat it but Darmstadt has their own challenges so. But this was a specific situation that's in disrepair. I couldn't begin to forecast what might happen 20 years from now.

President Friend: Do we have any other question from members of Council? Somebody in the audience have something to say about this, good or bad?

I think the price is right: \$1.00. How can you beat that?

With that, I'll entertain a motion for Resolution C-2014-40.

Councilman McGinn: So moved.

Councilman O'Daniel: Second.

President Friend: Motion made by Councilman McGinn and seconded by Councilman O'Daniel. Madam Clerk, please call the roll as it relates to Resolution C-2014-40 Docket.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, O'Daniel, Weaver, Adams, Friend

President Friend: Nine (9) Ayes, zero (0) Nays, the Resolution passes.

MISCELLANEOUS BUSINESS

There will not be a meeting next Monday the 24th or on December 1st of this year. The next meeting will be Monday, December the 8th, start at 5:30, Room 301, the Civic Center and then we will have Committee Reports beginning at 5:00 p.m.

Yeah, I'll get to you in just a minute.

I have Mr. Mounts here. I guess you're going to come to us I guess. Thanks Allen, for coming out. I think what...this might have been... 'cause you sent a letter out I think about...this is revolving around these letters that were flying around 'cause I...I don't know about other people; I got my share of emails on 'em. But I believe, I think I've read the letter and it seems like you pretty well said everything is fine. Everything's...you like to expound on it?

Utility Director Mounts: Sure, I'd be happy to and also obviously, there's lots of speculation about different issues and components so I'd like to be able to address that and make sure that we've covered all the bases there.

But the letter was sent out Friday. Probably some customers received it Saturday or today. Most likely, everybody received the letters. It was to a thousand-ish customers who had received an original letter concerning issues or concerns with their waterlines and the first thing that we've said is clearly, we will not turn off anybody's water because they haven't repaired their line, and that we would conduct a re-inspection on...an independent re-inspection, just to validate the nature of the repairs and provide additional documentation for the customer as to what issues are there with the waterlines and/or water pit that is in place there.

The timing of the repairs is basically up to them with a few exceptions and I'll show you some pictures, give you examples, of what those exceptions are. And we've asked them to contact us to let us know if they have any questions but also with respect to the repairs that are needed within their system, if they need additional time to do that, we'll work with them on doing that. We're not going to turn off the water. But just to...what we'll provide clarity around

is what is the nature of the issues that we determine, what we saw when we looked at their lines.

And what I'd like to do, if I can, and we ask for their patience on this, you know, I think the important things have been covered for right now, but the re-inspection will include more narrative description as well as pictures for each specific property. It'll allow us to revalidate also with Utility staff the inspections that were initially performed by the contractor and if we think that we can move forward with the work that needs to be done in the meter pit without any repairs being performed then we would work with the contractor to move forward with that.

There has been, John, quite a bit of discussion who is responsible for what and so if I could I want to walk through, for the benefit of the Council because I know you have people who are probably calling you, so I'd like to give you what exists in terms of rules and regulations, if you will, and we can talk about those.

While that's making it's rounds, you know I'd say on a personal note, prior to coming to work at the Utility, let's say I didn't have a full appreciation for ordinances and statutes that exist but they've become an everyday event for me to understand that and so if you would permit me, we'll start on Page 1. But the creation of the Water Works Department was established under Indiana code and it's a...I'm going to give you...cite the code to you but it's...so it's established under Indiana code and the Utility Board has a responsibility for the operation of the Water Utility and they have the power to make decisions related that, including the establishment of rules and regulations. What some others may not realize is our jurisdiction covers the entire Vanderburgh County, not just the City of Evansville; it reaches the entire county. It is actually a waterworks district.

If you go to Page 2, this is from Indiana code, it's under Chapter 4: Department of Water Works in Certain Municipalities, and I'll just hit the highlights here but, "A municipality having or operating a water works through the Department of Water Works before January 1, 1982 shall be deemed to establish a Department of Water Works". Obviously, we've had a water utility for over a decade. "The Board of Directors of the Department of Water Works shall operate as both the board and the municipal legislative body for the purposes of...", some regs that I'll cite you in just a second. This subsection, and it carved out an exception to that, but the subsection applies to water utilities that have been removed from the jurisdiction of the Indiana Utility Regulatory Commission. We are governed by the Indiana Utility Regulatory Commission so we fall under this statute. So the regulatory body for us for rainmaking purposes, for financing purposes, and other rules that the IURC may establish, we fall under their guidance for those.

The code that is cited in the ordinance is 8-1.5-4-2, which says, "If the legislative body of a municipality, by ordinance, adopts a provision of this chapter, there it is established a

Department of Water Works to be controlled by the Board of Directors". So the ordinance is consistent with the statute.

And then, just for reference, on Page 3 it also created a special taxing district. While we haven't issued taxes 'cause it's a rate-based system, the Water Works Department has the jurisdiction to establish a special taxing district and it's referred to as the Water Works District and it applies to Vanderburgh County because we fall in that population range that exists so that's still in place today.

So you go from the City ordinance to Indiana code and to what rules have been established by the Evansville Water & Sewer Utility. The document that I'm going to cover with you to hear was established back in 2008. Actually the rules and regulations exist prior to 2008 I just don't have the documents for that but from talking to utility employees, clearly it's been operated on that basis. I just don't have the documentation but it goes back decades.

And on Page 5, in the middle section, one of the things that has been a question of the utility's responsibility for maintenance ends at what's called the curb-cock or stop-box. It's a valve shut-off that's separate from where the water meter's located and I'll show you a diagram of that in just a little bit.

It...at the bottom, you see I have highlighted, "It's entirely the property owner's responsibility to hire a licensed plumber to install all plumbing from the stop-box to the building including installation of the meter pit and meter." The message there is if it's on personal property, it's the property owner's responsibility. If it's in an area where we have an easement and right-of-way then it is Utility's responsibility.

On Page 6, and you'll see this is hand-written notes, Page 6, 'cause I couldn't print this out in Word, I can get all the numbering correct. "Meter installation plumbing shall conform to the meter plumbing specification lay-out drawing which can be obtained by the Plumbing Inspector Utility's office. This is also available online". I'm not going to go into a lot of detail on the diagram that you see there but you'll see in the middle of the page a vertical line and I've highlighted what is shown as private plumbing versus utility ownership. I talked to our distribution manager who has been the distribution manager for years. He said it's always been this way. Even prior to that, before he took the position, it was the separation between what is private property versus what is the Utility's responsibility.

On Page 8 under Repairs, Renewals, Replacements, and Relocations it says, "The Utility will not be held responsible for faulty plumbing on the customer's side of the meter once the meter is reconnected to the original plumbing".

On Page 9, Care of Meters, "The consumer shall be provided a safe...Shall provide a safe physical, visible access to the meter, dry and clean place, protected from freezing and excessive

heat. Utility reserves the right to require the property owner to relocate a meter to an acceptable location at the owner's expense".

If I could...there it is...bear with me a second. Sometimes a picture is worth a thousand words and I just have a handful of these but if you look at the picture here, you see a blue circle and then a line. Under that rock is the water meter so that's obviously just an illustration of an access being blocked to a water meter. This is a...gives you an idea of some bad plumbing, or leaking, that's occurring with the water pipes. This is a more dramatic example of galvanized pipe that's beginning to flake. Here is a meter pit that's a...doesn't have a lid on it. It's obviously cracked and broken. Be interesting what's happening in a meter pit today after the cold weather we've had relative to lines freezing, if you will. There's a meter pit that obviously has a leak in it. There's actually...that is a meter pit. You can't see the meter that's in it 'cause it's so far down in the ground. And then this is a more interesting example where the meter pit's actually...the tree's growing around the meter pit. And I put this one in here just to show you that the shut-off valve is at a smaller valve access point in the street. Many of you, if you'd walk down a sidewalk you've typically seen that and usually it's a...*usually* it's a few feet away from where the meter is and that's where the Utility turns water off and on.

In the rules established by the Utility Board, it goes on to say that, "Willful damage or damage attributed to negligence on the part of the consumer will be charged to the consumer".

Then on the last page, just for reference for you, is that the rules that are established here are established as part of the contract whenever we provide water service so it extends. It's as though you'd copied these rules and put them into the agreement for water service, if you will.

Now I know that all sounds harsh but that's the reality relative to some of the things we're seeing in the system. We will still not shut off water. It is clearly the property owner's responsibility to do the repairs. I did have the opportunity to seek legal advice from our bond counsel and a concurring opinion from the City Attorney's Office that public funds, the Utility cannot use public funds for private purposes and that's been consistent with...ever since I've been here, but just to concur that it's not permissible for us to use bond funds or general revenue funds to repair customer systems.

Hopefully through the process of the re-inspection we will have additional documentation that we can provide to property owners so they could better understand the nature of what we're seeing and especially if they choose to do the repairs that they have...are better equipped when talking to a plumber to assist them with that.

There are fundamentally two conditions that we would have a sense of urgency around and that is if there is a leak between our shut-off valve and the meter it needs to be repaired because we are losing water. It's unmetered water that's lost that we're not getting any revenue from. If the leak is between the meter and the house, that's water that's being

metered and the customer has the risk of...they're going to be paying for that lost water that has occurred.

The second issue is we have to have the ability, and there's actually a separate rule related to this, to be able to read the meter. If you bury the meter and the meter transmitter under landscaping or you park something over the transmitter, we're going to ask that you remove that so that the meter can be read through the transmitter that's there and we'll work through that process with customers to try to get that done. Of course there's sometimes natural occurrences that happen that causes that to occur but we're work with customers there.

So that is some context around...in my role as Director of the Utility, to follow what is established in the rules and what we have specifically included in the contract with Johnson Controls is we couldn't use public funds for private repairs so there are limitations on what Johnson Controls can do, but I'd be happy to answer any questions you may have.

President Friend: Let me ask you one thing Allen, what is exactly does the contract...the Johnson Control contract say between two feet of either side of that meter?

Utility Director Mounts: If it's outside of two feet, well, if the repair is within two feet...

President Friend: Yes.

Utility Director Mounts:...and they caused the damage...

President Friend: Right.

Utility Director Mounts:...then they fix it. It's their responsibility.

President Friend: This happened in Mt. Vernon, Indiana, matter of fact, 'bout four years ago. They replaced 3,500 meters over there. One out of every seven failed and they went back to contract and the contractor repaired every one of 'em in Mt. Vernon, Indiana. That was four years ago.

Utility Director Mounts: I can't speak on Mt. Vernon.

President Friend: Yeah, and I believe the contract was with Johnson Controls.

Councilwoman Robinson: I have a question. Since there's no provisions for people that can't afford this expense will you cut their water off?

Utility Director Mounts: We'll work with them. The only time where it would eminent is if losing water that is between the shut-off valve and the meter pit itself and I would say, you

know, that's a judgment call but if it's a fairly serious leak, you can lose thousands upon thousands of gallons so that will need to be addressed. We...and we do that today. We done it...and they've done it for decades that if there's a water leak that's *(Inaudible)* so it's no different than what has already been done historically so we'll follow the same protocols. We'll continue to work with customers, try to find a solution.

Councilwoman Robinson: Well I know I got a call this past weekend from someone that said they called the Water Department and I heard a couple individuals and said customer service people were very rude to 'em.

Utility Director Mounts: I apologize for that. Certainly I'll follow up with our customer service manager and make sure that that's addressed.

Councilwoman Robinson: Thank you.

Councilwoman Brinkerhoff-Riley: I had a question. Johnson Control, in the contract, took responsibility for two feet on either side of the meter, correct?

Utility Director Mounts: Uh-hum.

Councilwoman Brinkerhoff-Riley: And so prior to sending out these letters they were attempting to change meters and where there were issues, basically of, you know, stripping screws or breaking pipes in that change-over process, Johnson Control was fixing it.

Utility Director Mounts: That is contrary to my understanding. First they do an inspection, which they have the right to do under the contract. If they found faulty plumbing that was in place they wouldn't have touched the meter so they wouldn't be doing repair work that's there.

Councilwoman Brinkerhoff-Riley: So it's basically where they've broken it in what they thought was a safe exchange or a safe trade-out that they have fixed 'cause we had an employee here last week that talked about, you know, if it's broken within that two feet and that it does happen that they are responsible for fixing it.

Utility Director Mounts: If it is broken they would be responsible for fixing it.

Councilwoman Brinkerhoff-Riley: And I don't mean negligence so much as things just don't always...

Utility Director Mounts: No, that would be correct.

Councilwoman Brinkerhoff-Riley:...you know, work out the way that you intend.

Utility Director Mounts: 'Cause they're going to have...if it's broken then you've got a water leak and it has to be repaired.

Councilwoman Brinkerhoff-Riley: Okay, so how did you get through a 40% completion rate? Were you simply sort of working around the water pits that needed repairs that you wanted to address the homeowner on? I know that you sent out...what I was told by Mr. Duckworth was that the initial letters were numbered 40 and then several weeks later 1,000 and that there were...it's also my understanding that there were another 5,000 letters queued to go out that got pulled. So I mean were they just working around the ones that they thought...

Utility Director Mounts: Stephanie, I could say that I was aware of, you know, the small number that initially went out. We revised the letter and then the next letter was 1,000. I have...

Councilwoman Brinkerhoff-Riley: So did you have more to go out?

Utility Director Mounts: There's no 5,000 of additional items or letters prepared to go out.

Councilwoman Brinkerhoff-Riley: When a client...when a customer waives, you know, if you get a Waiver of Liability, how does that impact your contract with Johnson Control?

Utility Director Mounts: We negated the Waiver of Liability...

Councilwoman Brinkerhoff-Riley: Right, right, right.

Utility Director Mounts:...and removed it so it's a non-issue with the Waiver of Liability. It's as though it didn't exist. We're not doing any work, going forward, because somebody executed a Waiver of Liability.

Councilwoman Brinkerhoff-Riley: Okay. I guess I'm kind of confused though. You're not going to turn off anybody's water, the repair period is negotiable, I mean what is going to happen to the potentially hundreds of people that aren't...don't have a leak that warrants an immediate turn-off 'cause they're damaging the system, and I know that language is in place. What's going to happen to those people? I mean you've made it perfectly clear that you don't intend, or you can't, give any funds to agencies like CAPE or Memorial to help so I mean what happens?

Utility Director Mounts: What will happen is there are two components to the meter installation. There is the physical meter itself that requires removing the meter from the water lines that are hooked to it.

Councilwoman Brinkerhoff-Riley: Right.

Utility Director Mounts: That's the risk of failure to occur there. The second piece of it is how the meter date is transmitted and it's a separate transmitter unit. To buy more time for the homeowner to do more repairs, which you know...and some of the things we've seen it may just a question of when they're going to have to do the repairs. We can retrofit the meters without changing the plumbing. We still get the meter data.

Councilwoman Brinkerhoff-Riley: But you've shown pictures that are sort of your worst-case scenario. All of us have received calls people whose pits don't look anything like that...

Utility Director Mounts: Oh I understand.

Councilwoman Brinkerhoff-Riley:...and don't have leaks.

Utility Director Mounts: And what we would do, we'll make a judgment call from the re-inspection whether or not we can replace the meter safely, and again, if damage occurred it would be taken care of under the contract. If not, that it can't be replaced safely, we will attach a new transmitter to it. Where there would be an issue is if I don't have something to attach the transmitter to...

Councilwoman Brinkerhoff-Riley: Well yeah.

Utility Director Mounts:...that's going to have to be addressed and the homeowner's going to have to address that.

Councilwoman Brinkerhoff-Riley: Okay, and I'll let somebody else. Let me ask one more question. I know that our...the letters are at about 1,040. When I spoke to someone in your office, that's just all the further you were in the project so as you, I mean, has every water meter pit been inspected? Do we have any idea how many people are going to get letters like this?

Utility Director Mounts: It's hard to forecast and tell you that we...as described as cycles, or basically billing cycles around town; there are nine of those. We're in the fifth cycle. Much of...many of the cycles that have been completed are older parts of the town, excluding the downtown area. Right now they're working through the westside and the Howell area. That's a...some of those systems date back 80, 90, 100 years. And then we move into further outreaches of Evansville so we kind of hit sort of the worst of it. Not all of it but the worst of it. So 1,000 on a relative basis out of about 30-some odd thousand meters is about 2% or 3%. A lot of the...about a third of the 1,000 issues that were identified had to do with missing meter lids or there was debris or roots inside the system itself that needed to be cleaned out in order to gain access to it. The remainder had some plumbing issue related to it. That's what we're going to document more clearly, what that is, and make a determination: Can we go ahead and safely remove the meter and replace it? If not, then we'll retrofit it.

Councilwoman Brinkerhoff-Riley: So you really don't know how many more letters?

Utility Director Mounts: I really don't. There's no way I could forecast because part of the process is to, while you're on site, inspect. If okay...if not okay, then document. Then if okay, then replace meter and attach the transmitter to it.

Councilwoman Brinkerhoff-Riley: Now the contractor did the initial inspections but I thought I heard you say that it's actually Water Department employees that have gone out and done the re-inspection.

Utility Director Mounts: We haven't done the re-inspection yet; we're gearing up for that. That was a step that we didn't have in place Stephanie.

Councilwoman Brinkerhoff-Riley: Okay.

Utility Director Mounts: So now we will go back and re-inspect. Of these exceptions, if you will, or locations where the contractor has said, "There is a sufficient enough issue here that we can't complete the task", and under the terms of the contract, they have the right to do that. What we're working through now that we know sort of the volume that's there, we'll task technical...people with technical expertise go out and make the assessments then and then follow-up the activity with the customers to help them better understand what we're seeing.

President Friend: Allen, this...what looks to me this project could essentially cost our citizens millions of dollars. And what I'm saying that is if it's \$1,500 on the average of replacing that we got a 1,000 or 2,000, or 3,000...I got up to about ten million dollars (*Inaudible*).

Utility Director Mounts: John, I would tell you that it's their property to begin with.

President Friend: I understand that.

Utility Director Mounts: The issues existed before this project existed. The issues would still be in place even if we didn't have the Johnson Controls project in place, we'd still be following the rules to get the action corrected. Now if we are not turning off the water and I'm able to retrofit the meter, and no plumbing repairs occur, it's still the homeowners responsibility to determine when they want to get the repair done and how they get their resources for that.

President Friend: Well you know, normally in the past we been replacing meters I thought 10% every year, have we not?

Utility Director Mounts: They have not.

President Friend: Had not been doing that. Well this is...it's not going to be...

Utility Director Mounts: I mean I can't undo what was done in prior administrations. The...I know from an aging report that probably 60% of the meters are more than 10 years old and many of 'em much older than that. They've not had a regular replacement program in place. This gets up to speed; also allows us to enable the technology to move from a once-a-month reading and several weeks later something shows up on somebody's bill that they have a problem to a real-time system that we'll be able to see if there's a leak occurring and we'll be able to alert a customer that we think you've got a leak on your property somewhere. It could be a toilet leak, it could be a break in a line, but the tools that will be put in place give us the ability to do that. We'll also be able to see if somebody is blocking the meter. We'll also be able to see if somebody is illegally using water and so there's several benefits that will come from the technology that is in place. It's going to take us, you know, almost two years to get everything completed and we're well over half...we're about halfway through that process right now.

Councilman O'Daniel: I've got two questions. I guess as I hear you then, had we been replacing the meters at roughly three or four thousand a year you would have noticed some of these problems and homeowners would likely have gotten the same sort of letter as those problems were faced.

Utility Director Mounts: They would have.

Councilman O'Daniel: I mean that's the...there's no change in policy then.

Utility Director Mounts: There's no change in policy. There was a day, Conor, when meter readers physically removed the meter lid, viewed into the pit, noted the meter usage that was there but also they would see if there was an issue there. When the touchpad systems were put in place, it's just an electronic wand that touches against the pad and there's no reason to open up the meter lid, other than if a customer says that I think there's a misreading on this, they'll go out and physically look at it. So changes in the process have been where they've really not been looking inside the meter pit. I think it is beneficial if the positive that comes out this that customers now understand that they need to inspect their systems or have somebody inspect it for them and get an assessment on what's necessary. It's just the same thing with replacing a roof perhaps or painting on the house.

Councilman O'Daniel: And infrastructure is not sexy; I understand that. The other thing though, and this kind of builds on to at what point, I guess what...how far was the Utility willing to work with somebody? I mean obviously we have...we're roughly halfway through this program and just assuming the re-inspections as, I don't know, 500 of those thousands need work, and those are going to be responsibility of the homeowners, you know, again to Connie's point and some of the others, you know many of those homeowners may not have the funds readily available. Will the Utility ever, on its own, go fix it?

Utility Director Mounts: No.

Councilman O'Daniel: Okay, so the only rec...the only thing that you can do then is turn the water off to enforce that.

Utility Director Mounts: You either turn...what we would attempt to do is to educate as to what the issue is and if it's on the...if you were triaging and you had something that was leaking really bad, you're going to fix that one first. If it's something that relatively minor we get more time to fix it.

Councilman O'Daniel: But, I mean my point is, you say you're not going to turn off water. I understand that's now and that's based on the letter that go out but at some point if you say, "We're going to work with you", and they say, "We don't have the money to do this. We don't think it's broken; you haven't proven it to us. We not going to...we can't do it". The only recourse that the Water Utility has is to shut the water off to force the action rather than to fix it such as, you know, violation of a weed ordinance or something else, and then bill it to property owner. You have to...you can just turn the water off.

Utility Director Mounts: The other alternative to that is we are researching and validating those organizations, non-profits that exists that can provide support and aids there so we are trying to identify those as referral sources; we do that today. But specifically those that are equipped to do repairs so we can make a referral, or not us make the referral, but we can inform the citizens of another resource that they could go to to maybe provide assistance or help with them.

If it's...they need more time, then we'll work with them on needing more time. But you're right, at some point if it gets to such disrepair that a line breaks and it's on our dime, we're going to re...we're going to turn the water off.

Councilman O'Daniel: But Johnson Controls is going to be done with their project here in a year, right? So is there anything we can *(Inaudible)*.

Speaking Simultaneously

Utility Director Mounts: This going to be around for decades, Conor. This is not a next-year issue; it's going to be around for decades.

Councilwoman Brinkerhoff-Riley: What do you mean by that?

Utility Director Mounts: Well if the age of the waterlines that are in place...

Councilwoman Brinkerhoff-Riley: I'm sorry, it was me.

Utility Director Mounts: I'm sorry, I was looking around. Just knowing the age of the infrastructure in place...you guys have heard me talk about water breaks and what we have in the ground on pipes, it's a natural extension that whoever hooked up their lines to those lines...

Councilwoman Brinkerhoff-Riley: It's got the same kind of problems.

Utility Director Mounts:...you're looking at very old systems and I don't want to put this lightly but it just is what it is and those pipes don't last forever and they break, and in particular, the type of technology, pipe technology, that may have been used 40 years ago, such as galvanized pipe, sounded good at the time but it doesn't last forever and now the galvanized pipe is breaking. It's just unlimited galvanized pipe but it's part of just an aging infrastructure that's in place. I wished I had an answer on how we'd be able to provide funds to do that.

Councilwoman Brinkerhoff-Riley: Well CAPE and Memorial both have extensive waiting lists. Now this is technically an emergency but when you look at Memorial operating off a budget for their whole program of about \$300,000 it, you know, the numbers don't work in terms of relying on those.

I had a...just how many letters or how many pits have been identified? I know we've talked...it became...we became aware of it when 1,000 went out but over this course of this project, how many homeowners have been alerted?

Utility Director Mounts: It's maybe 1,100.

Councilwoman Brinkerhoff-Riley: Okay, and on a normal year, how many of these kinds of letters go out. For example, how many did you send out in '13?

Utility Director Mounts: Yeah, they typically would...they would be a small number because we're not opening up the pit to view inside of it so the inspection process is revealing issues that are there. The same is true on the sewer side. You know we are required to do inspections there, which is causing on our...in this case, it's a work-order for our system.

Councilwoman Brinkerhoff-Riley: So essentially a leak.

Utility Director Mounts: It's a leak.

Councilwoman Brinkerhoff-Riley: A noticed leak would have been what tipped you off into the *(Inaudible)*.

Speaking Simultaneously

Utility Director Mounts: Yeah, it would be water coming in...yeah, from or around the pit area if there is noticeable water there. Either the customer may have noted that or as the meter readers are going around, they'll make notations.

Councilwoman Brinkerhoff-Riley: So but for this type of project, potentially many of these pits could have continued chugging along without any reason for you to take off the lid.

Utility Director Mounts: They could have and that's why I said the benefits of this, at least we're now seeing and being able to bring it to the homeowner's or property owner's attention.

Councilwoman Brinkerhoff-Riley: Well the 90-year old woman that lives around the corner from me, her house is for sale. That's her solution to the problem and I think you're going to, depending on the issue, and her estimate was \$4,300. I've heard other people talk about estimates. Our security guard's estimate was \$6,000. I mean...I mean I think it's potentially un... just unworkable forever, you know.

Utility Director Mounts: I think those...everybody's entitled to their opinion.

Councilwoman Robinson: What percentage of the homes in zip code 13 have you done?

Utility Director Mounts: I don't have that detail Connie. I'd have to go back at look. It depends upon if there's overlapping cycles. It's not by zip code but I can go back and try to quantify that.

Councilwoman Robinson: You know I sit here and I mean it just terrifies me when I think of people on fixed incomes and that they're not...more than likely you're going to find something wrong with their piping and they don't have the money and you tell me you can't, you don't have any funds to assist anybody.

Utility Director Mounts: Well it's not a matter of having funds; I can't use public funds for private use.

Councilwoman Robinson: But yet we've entered a project like this. I'm sorry I voted for it if I knew it was going to end up like this.

Utility Director Mounts: 98% of Evansville's population is benefitting from this so I under...I appreciate the concerns there. We're trying to work through that but at the end of the day in terms of expending public funds, I don't...I'm not permitted to do that.

Councilwoman Robinson: I mean I just empathize and sympathize with the people that are on fixed income. As you said, that woman is forced to sell her property and I know Councilwoman Mosby and myself, we live in it where, you know, it's poverty. Probably the majority of people in our ward are at poverty or below and then we're going to hit 'em with an expense like that, you know, and you say it is nothing that we can do.

Utility Director Mounts: Nothing the Utility can do. You know, I don't...I'm not well versed on what powers the Council has, whether or not they can enact a special tax to pay for those type of expenses. You know...

Councilman Lindsey: Well isn't this the Mayor's project? Why couldn't...why don't the Mayor enact a special tax? I mean wasn't this brought to us and wasn't we told by Mr. Ziemer that it didn't matter if we voted for it or not; it was already signed. It was a done deal and they were going to go ahead. Why would we want to be involved in a special tax? You know, this is a... this project, this whole thing is caused by this one project by a private company that I thought may have done this somewhere before. Evidently we're the proving grounds for this company and I think Hydromax is doing the, you know, the legwork, doing the actual hands-on. I mean I don't understand, you know, this wasn't a referendum, this wasn't brought before the entire City of Evansville...

Utility Director Mounts: It didn't...

Councilman Lindsey:...to be voted on.

Utility Director Mounts: I understand. It didn't have to be because the board had the authority.

Councilman Lindsey: You know this project is insane. It's insane for the people in this city to have to be burdened by this and it is a burden. You know why do I care if I live in a house and I'm 90 years old if my water goes through galvanized pipe or not. "Hey, I'm 90 years old; you know I'm not going to live forever". But I mean I am concerned about, you know, getting bills and having to replace that plumbing. You know when you do a...when the City does a project like this, or a private company I should say, you know it was...everything that's been caused by this project is because this private company came in, sold us a bill of goods, and everybody, you know, we voted for it but it wouldn't have mattered. It wouldn't have mattered if anybody on this council voted for it or not. It was told to us, word for word was, "It does not matter if you vote for this or not. What we're trying to do...the contract's already been signed. It's a done deal and we're just looking for a little better interest rate, which will possibly be more savings for the City".

Councilman O'Daniel: But Al, it would have...I mean we we're going to have to do this one way or another. We deferred it for a number of years.

Speaking Simultaneously

Councilman Lindsey: No, no, no. That's not true at all.

Councilman O'Daniel: Don't we have an obligation to *(Inaudible)*.

Speaking Simultaneously

Councilman Lindsey: Not at this rate. Not every meter in the city. That's not true at all.

Speaking Simultaneously

Utility Director Mounts: What the Council voted on, just to clarify, is the Council approved the sewer portion of this, which is completely within the jurisdiction and authority of the Council. The IURC was the approving body for the Johnson Controls contract on the water side so the case was...I'm just saying, the case was vetted through the IURC and they are the appropriate regulatory body to make that decision.

Councilman O'Daniel: But some of what we're facing here is scale too because we're replacing all of them at once...

Speaking Simultaneously

Councilman Lindsey: But that's the point; the scale is because...

Councilman O'Daniel:...rather than just 3,000 or 4,000 a year instead of having 40 a year, we're having 1,000 all in one year. I mean that's part of the problem.

Councilman Lindsey: I mean why are we at this scale? Why are we at this scale, you know? You know why did it matter, you know, they were so concerned about people stealing water, we're losing water, I mean, who's stealing water? You know I don't know anybody that steals water. If it has a leak you're going to pay for it. If it's on their side, they're going to fix it. Where was this all happening at? I mean, you know it's commercial was the main thing that...why didn't they just target the commercial side of it then? Why did they drag the consumer, the average citizen, into the middle of this mess? And that's exactly what it is is a mess.

Councilman O'Daniel: That's right.

Councilman Lindsey: You know they're damaging...who cares about those pits?

Councilman O'Daniel: Some of that's hindsight, you know?

Councilman Lindsey: Those pits worked for 100 years for those people, now all of a sudden they don't work. They don't work because of this project, you know, that's why they don't work.

Councilwoman Brinkerhoff-Riley: Well it's more than this project. It's because they haven't...I mean, again, it's the municipality's problem. We have spent years and years and years neglecting...

Councilman Lindsey: Not us.

Councilwoman Brinkerhoff-Riley: It's now a resident that had we replaced the meters on a regular basis, on a regular maintenance schedule, the resident that would have been tipped off at a small problem, due to, frankly, the Utility's neglect, and I don't mean...

Councilman Lindsey: But that was a private company.

Councilwoman Brinkerhoff-Riley: No, I understand now.

Councilman Lindsey: That wasn't...when you say, "Utility's neglect"...

Councilwoman Brinkerhoff-Riley: But we've neglected these for...

Councilman Lindsey:...that was a private company that came in here that was given this...a contract, to run our Sewer and our Water Departments and what they did was they took their money, didn't do any maintenance, and did the very minimum and then left town and this is what we're stuck with. But then we jump on this Johnson Control...

Councilwoman Brinkerhoff-Riley: You mean the private company that had the water?

Councilman Lindsey: It was a...

Councilwoman Brinkerhoff-Riley: Yeah, no I mean...

Councilman Lindsey: It was a private company.

Councilwoman Brinkerhoff-Riley: You're right, you right.

Councilman Lindsey: It was a private company that basically fleeced the City and moved on just like evidently is happening again. You know I think this is ridiculous. I mean, you know people are tired of this kind of government. They're tired of this stuff where they have no say in their government but yet we...they...we implement these kind of programs and come back to them. You know they don't have...that's why we live in Evansville. The people with money are living out in the county, you know, that's why they're poor people, you know.

You got something to say then say it. Don't sit over there and smirk at me.

Councilman Weaver: Did you vote for this?

Councilman Lindsey: Yes I did. Just...you got something to say, say it to me.

Councilman Weaver: *(Off Mic) (Inaudible)* I'm just saying.

Councilman Lindsey: You damn right you...

Councilman Weaver: Do you live in the county?

Councilwoman Robinson: You talk about does he live in the county; how many people on the board lives in the county...live in the county and how many live in the city?

Utility Director Mounts: I don't know the answer to that Connie, I just know that the board represents...our jurisdiction is the entire county. It's not just the City of Evansville, it's the entire county.

Councilwoman Brinkerhoff-Riley: How could we have not known? I mean, given the history of the failure to replace and this, you know, and the very long time that has passed since we opened the pit to read it. I mean what...the reason...and I understand that we had nothing to do with the water side, that we voted on the sewer side of that but the reason, or one of the primary reasons, I voted for this was because it wasn't going to cost the resident anything. I mean did we not have any inkling of what the...was going to happen when we started opening those pits?

Utility Director Mounts: You know Stephanie, the contract, the original contract, was put together by the prior administration. I joined in February...

Speaking Simultaneously

Councilwoman Brinkerhoff-Riley: I don't mean to beat up on you. I know that you're doing...

Utility Director Mounts: I joined in February of 2012, I was handed this contract, we restructured it...

Councilwoman Brinkerhoff-Riley: No, and I appreciate...another reason I bought...I voted for it 'cause you took out...you cut about...you were willing to cut that 12 million I think.

Utility Director Mounts: And it's a large number so I wasn't here at the time that they analysis was done so...

President Friend: Well if I may say, I guess when I heard that Mt. Vernon had this about four or five years ago and then Johnson Controls, my sources indicate, was the contractor on that one, that one out of every seven failed. They had a track record. I actually talked to the sub-contractor personally about this; came straight from him. One out of every seven failed so you can do the math. They knew about it.

Councilwoman Brinkerhoff-Riley: Do you mean failed in the installation or failed in the operation...

President Friend: Failed...they had to go...they was damaged done into the pit and they had to go back and do all that. Yeah.

Councilman O'Daniel: Allen, what's...is there an appeal process? I mean you send a letter and they make a preliminary determination that it needs something. What can a homeowner do to say, "Look, I don't think that...I don't think I need to do that? I mean I've got a...I went and got a plumber and he said it's fine".

Utility Director Mounts: Sure. The first would be in response to is there an appeal process; there is an appeal process that's in place today which involves...and it's actually in the brochure that we sent out but they...if they'd submit it in writing what they need, what they're appealing, then we can respond to that. They first...also have recourse through the Indiana Utility Regulatory Commission to submit appeals to that location.

The things that are obvious, again, would be if there's blockage on the meter or there's a meter leak that is placed there. Relative to when they would need to do a repair would be when we have to replace the meter itself and that would be what we would work with them through the appeal process to buy more time.

Councilwoman Mosby: There's just a huge concern, you know, our constituents are calling us and they're getting, you know, these estimates that they can't afford so I mean, we're just concerned for our constituents because it's an added expense that none of us would ever want to put on our constituents, and now because of this, they're finding all kinds of problems and, you know, where...where do they turn?

Utility Director Mounts: I understand the concern. We're trying to identify resources and also offer advice. If you're talking to a plumber, get multiple bids, not just rely upon one, get references...

Councilwoman Robinson: *(Off Mic)* If you don't have any money it doesn't matter how many bids you get.

Utility Director Mounts: You know, it's a...Connie, I understand and I hear your concern and I wish I had an answer for that but the answer doesn't lie in my court. I don't have the discretionary authority to do what you're asking me to do.

Councilman Adams: Allen, wouldn't it...wouldn't it possible for an elderly person who can't afford this just to opt out of the program completely and just leave her meter alone?

Utility Director Mounts: If we...

Councilman Adams: Then if it occurs that it's going to happen again...I know part of the savings was the fact that people were using water and weren't paying for it but...

Utility Director Mounts: That's...

Councilman Adams: Couldn't there be a small segment of the population just say, you know, "Time out. We don't want to have anything to do with this."

Utility Director Mounts: I think that's basically the approach that we're taking is just to retrofit the meters not to replace the meter and it would allow more time. But in terms of opting out, if something eventually breaks in that meter pit, or a waterline breaks, then that individual is going to be faced with...

Councilman Adams: Well perhaps that's the best course is to wait until...

Utility Director Mounts: Oh absolutely; I agree. I agree.

Councilman Adams: I mean maybe this lady that...

Utility Director Mounts: Yeah.

Councilman Adams: Needs to just say, "Time out. I'm not going to play the game."

Utility Director Mounts: Yeah. And that's why we'll do the inspection but it's their choice as to when they're going to get the repair done.

Councilman McGinn: Allen, two things. I'll preface this as a question but when I first heard about the letters and saw some of the problems, I got on the internet and I have...first of all, I checked our rights and responsibilities of rate...I mean of customers. It's on our website; on your website. And so then I used that and went on a couple of search engines and I've probably read the rights and responsibilities of probably 45 or 50 different city's water departments in the last week or ten days and they're all the same. I mean everybody that I have found, I mean we're not picking on people and we're not the bad guys here folks in making people repair a part of their property from the, you know, the stop drain to the house. I mean everybody does that and you know, that's just the way water departments are run. It's...to say that the city has to fix old rusty pipes that are in these pits is the same as saying that everybody who's pipe in their crawlspace freezes and explodes tonight, that we have to go fix it, you know. And I know it's a hardship but I mean, I'm in my house 30 years; I'm getting estimates on windows and roof today and I don't like it but I also understand that stuff wears out and I think that you're doing this one at a time and handling individually is, I mean, I think we're being as kind as we possibly can but, you know, it's just part of being a homeowner;

when stuff wears out, you have to fix it and we're the same as every other city in the country on it where you repair.

Councilwoman Brinkerhoff-Riley: And they're monopolies. They're monopolies. I mean just like our utilities...

Councilman Adams: I still think...I still think the individual person who is hard at it like Connie's talking about should have the option of just opting out of the program. We're talking about a small group of people.

Councilwoman Robinson: I'd like to see this administration have a little empathy about people on fixed incomes.

Utility Director Mounts: And what would that look...I understand.

Councilwoman Robinson: I mean you know, like he said, maybe their able to opt out of it if they can't afford it.

Utility Director Mounts: Yeah.

Councilwoman Robinson: I know my colleague, Councilman McGinn, says that's part of being a homeowner, which it is. But he's getting estimates his windows and everything and I'm sure he probably can afford it. Somebody else might not be able to afford it.

Utility Director Mounts: I think we're saying the same thing, just saying it differently. The opt out, once we do the examination, it's basically if you want to do the repair work, you go ahead and do that. There's only a couple examples that I've mentioned that it does need to be repaired. If it's leaking on...between the shut-off valve and the meter that needs to be addressed and if the meter's blocked we can't read the meter. That's a fairly simple fix there.

Councilman Adams: Sure.

Utility Director Mounts: But the choice relative to the customer making repairs to their waterlines, that's their choice. It's only when it results in a leak, either on our side or on their side, that it's going to get expensive.

Councilwoman Brinkerhoff-Riley: I think potentially some of the...I know...sorry.

Utility Director Mounts: It's all right.

Councilwoman Brinkerhoff-Riley: I know it's hard to...it must be hard to tell from back there. So the wat...so the Utility cannot use funds to shore up CAPE and Memorial but should

those...should we find some funds to shore up CAPE and Memorial, would the Utility play ball in things like populating a list of approved plumbers or working with a group of vendors that perhaps could do a reduced fee based on volume, even as low as potentially a flat fee for cleaning out a meter pit. I understand that you or I can get down and remove leaves and roots from our meter pit. Some people, typically again low income, elderly, handicapped, cannot, so if we were able to find funds, could you help in terms of the letters you're sending out and who we're pushing the residents to use because, again, potentially with approving a few plumbers who are...we would have a less gouging, not that all plumbers are bad people or anything like that, but typically when they sense or they smell volume work they may be more reasonable in their rates.

Utility Director Mounts: Yeah, those are all good questions; same questions that I asked and got legal opinions on: Could we do that? And each avenue I went down, it was, "No, it's not permissible for the Utility to have an approved list of plumbers". Now if the non-profit wished to do that and designate who kind of is qualified to do the type of work, and maybe even work towards a discount rate, I think that's a great idea. We can help at least with the initial identification; what we're seeing is the issue but I can't go out and preselect or approve certain vendors to do work.

Councilwoman Brinkerhoff-Riley: Okay, but you can report back to us the number of people that either absolutely must make repairs right now or it's a waiting game and you're going to tell them what needs to be fixed, although it's not at a crises right now. But when you talk about a waiting game and opting out, what you're saying is that that may be catastrophe down the road if something breaks, which would be a much higher cost than fixing it now so peep...can you give us that information? I understand you need to clean the roots out, we need to put a meter pit on it, but when you've got people that either need a repair right now or a waiting game may prove very costly in the future, I think we need to understand those numbers and make sure that they're getting the information they need on CAPE and Memorial and then we can go from there in terms of finding those funds and potentially narrowing the list of vendors that could potentially be kind off of the concept of volume.

Utility Director Mounts: Sure. Once we have identified all the potential stakeholders who could assist with that, I think in part of their fundraising effort, how we are able to quantify how big the issue is, at least from what we've seen, helps them tell the story from a fundraising perspective and I can work with them to provide that context but I've got to rely upon them to do the decisioning process to raise the funds and to the extent permissible by law, I...

Councilwoman Brinkerhoff-Riley: That's fine. We need to know what we're looking at in terms of money. I know I've spoke with CAPE and Memorial and Connie may have as well. They're willing to participate. It's an issue of, again, these would be considered emergencies and would move to the top of the list but they don't want to deprive people that have been

waiting with very legitimate repairs too, so we need a concept of how many, how bad, and then we can shift over to helping them with what that dollar amount is and...

Utility Director Mounts: It's a good idea. I'll work with legal counsel to make sure we can do the maximum permissible that we can but try to work with appropriate agencies to do that. They're far better equipped to do that than we are.

Councilwoman Robinson: Allen, I have on last question and I think Dr. Adams and John, you were in that meeting we had in the utility room when the board, when they were trying to sell this program to us and it was supposed...and I might be wrong, I don't know, a savings that we were talking about, maybe like five million dollars that was set aside and it would help us with any...when you had any type of program...

Unidentified Speaker: *(Off Mic)* Contingency.

Councilwoman Robinson: Yeah, contingency fund, I don't know. But it was...it could be used for something like this. Now is that where...now since you've told us since that, now have you been informed that you cannot use that money for anything like that?

Utility Director Mounts: I, Connie I remember the meeting. The contingency that we established were project specific contingencies related to the project itself not for homeowner repairs and I mentioned before, we've affirmed that, just so I can report to the Council that I can't use public funds so you're aware of the legal basis for that, but at the time that was created it was for project specific costs and the construction aspects of that that we could fund with that contingency fund. Typically in our construction projects on the sewer side, particularly the big ones, 10% of the overall construction costs is a normal targeted level contingency amount. The contingency amount that was in place before was a million dollars, far below what we would prudently do through our normal construction contract, so we actually increased that to more, 'cause it's about 30 million dollars in total construction projects, to three and a half million dollars which is actually more than the typical three million you would see, and we also said to the IURC, at least on the water side and I propose we do it on the same side as to the extent we don't have to use the contingency funds, we'll apply towards debt service then.

President Friend: I was just thinking Allen, I understand if you didn't...paying for the homeowners. I get that because of the use of public funds but what's the possibility of actually loaning that money to them and taking it out in the way of monthly fees that they would have additional to the water bills?

Utility Director Mounts: Again, you're using public funds for private use.

President Friend: I mean it's...low interest drone and whatever else.

Utility Director Mounts: I mean I'll certainly research that through legal counsel but...

Councilman O'Daniel: *(Off Mic)* Could you take a lien *(Inaudible)*?

President Friend: Take a lien, yeah. Take a lien on the property.

Utility Director Mounts: You know I'm...those are past my pay grade to understand answers to those questions.

President Friend: Have to pay that lien off I guess.

Utility Director Mounts: I'm listening to you; I'm just shutting this down.

President Friend: Well Allen, thanks for coming out tonight.

Utility Director Mounts: Thank you very much.

President Friend: We have a gentleman has some other business. Come on. Please state your name.

Councilman Adams: I think we floated a bunch of good ideas and I think we need the gentleman time to work on 'em.

President Friend: Ah, I think so. State your name.

Roger Madden: Roger Madden, 119 S. Willow.

President Friend: Yes.

Roger Madden: And actually this all has to do with the water so it's still on the same topic. They put in that new 24" utility line down on Willow and since they tapped in we've lost water pressure so I'm wondering if anybody else has had that trouble. Other neighbors have had it up and down Willow so I'm just wondering if they forgot to turn something back on or whatever. So if the Water Department could check on it 'cause I called a couple months ago and customer service was a little rude or didn't have a clue, whichever.

On the water meters, with the blockage too deep, etc., etc., are those pits inspected after the plumbers install 'em because from some of the pictures they look like maybe they weren't installed correctly, according to code which could take it back to the plumber that installed it.

And as far as some of the cleaning out-clearing out, is there any chance we could use minimum security prisoners and maybe even have 'em team up plumbers, get some OJT so they'd have a trade when they got out instead of going back to a life of crime.

And on the Smart Meters, you've already indicated the problem they had in Mt. Vernon. I was at a constitution meeting this weekend and people in Memphis said meters down there have been catching fire and they also had a radiation problem so I looked it up on the internet and there's about 10, 15 articles about it. Just look up Smart Meters, fire hazard, and if you specifically look up Memphis, Tennessee, you'll see the ones I indicate...I was talking about.

Short and sweet. Questions?

Councilwoman Robinson: Sir, let me give you my card. You're in my zone and I know my Third Ward Leader, Ed Massey, lives on Willow so I can ask him about what's going on at his house and just me a call. We...he works for the Water Department. We can probably follow up the project. I don't...

Roger Madden: Do you know where about on Willow?

Councilwoman Brinkerhoff-Riley: Ed lives at...

Councilwoman Robinson: *(Off Mic) (Inaudible)*

Laughter

Councilwoman Brinkerhoff-Riley: Ed lives at Willow, almost Willow and Michigan.

Roger Madden: So he's north of Lloyd?

Councilwoman Robinson: Yeah.

Roger Madden: Okay. Yeah, I don't know if they got that far yet or now.

Councilwoman Brinkerhoff-Riley: Are you...you're south of the Lloyd?

Roger Madden: Yeah, south.

Councilwoman Brinkerhoff-Riley: Hm, I think I'm still there.

Utility Director Mounts: *(Off Mic)* I'm the director of the Utility.

Roger Madden: I know.

Utility Director Mounts: *(Off Mic)* If you can give me your contact information, I'll follow up and have our distribution system manager *(Inaudible)*. He's very familiar with that.

Roger Madden: That's...information's right on it.

Utility Director Mounts: Great.

Roger Madden: Just some of the infor...is changed.

Councilman O'Daniel: Thank you Mr. Madden.

Roger Madden: Anything?

President Friend: Thank you for your time.

Roger Madden: Thanks.

President Friend: Thanks for coming up.

Do we have any other people in the audience like to...

Councilman Adams: Does Allen want to comment on the low-pressure about the Willow Project or...

President Friend: He...yes?

Councilman Adams: Is there a black hole in Willow?

Utility Director Mounts: I don't know about low-pressure issues but I'll investigate that. It was...I know about the Willow Road Project but I'm not aware of low-pressure issues.

Councilman Adams: You do now.

Councilwoman Brinkerhoff-Riley: Is that water or sewer?

Utility Director Mounts: It's water.

Councilwoman Brinkerhoff-Riley: Okay.

Utility Director Mounts: Now there...there's a waterline replacement that's a 24" line that ran down Walnut Street to relocate there and then we have...which is being managed under INDOT, some sewer relocations that are as a result of the project there as well.

Councilman Adams: But you do now, don't you?

Utility Director Mounts: I do now, yeah. I'll follow up.

Councilman Adams: Thank you.

Utility Director Mounts: Thank you.

Councilwoman Robinson: *(Off Mic)* Thank you, Allen *(Inaudible)*.

President Friend: Yeah, thanks Allen for coming out.

Okay, no other business? Great. Let's go on to Committee Reports.

COMMITTEE MEETING SCHEDULE FOR DECEMBER 8, 2014

A.S.D. COMMITTEE

No meetings scheduled at this time.

CHAIRMAN H. DAN ADAMS

FINANCE COMMITTEE:

Re: **Ordinance F-2014-22**

Time: 5:00 pm

Notify: Ted Ziemer

CHAIRMAN CONOR O'DANIEL

Amend the Sewer Rates and Charges for the
City of Evansville, Indiana

Re: **Ordinance F-2014-23**

Time: 5:05 pm

Notify: Russ Lloyd

Authorizing Transfers of Appropriations,
Additional Appropriations and Repeal and
Re-Appropriations of Funds for Various City Funds

Re: **Ordinance F-2014-24**

Time: 5:10 pm

Notify: Kelley Coures

Authorizing Appropriation of Funds within
a City Department (DMD)

Re: **Resolution C-2014-36**

Time: 5:15 pm

Notify: Chris Kinnett, GAGE

Confirming Declaration of an Economic Revitalization
Area for Property Tax Phase-In for Construction of
Real Property and Acquisition and Installation of New
Equipment (Mead Johnson & Company, LLC)

Re: **Resolution C-2014-37**

Time: 5:20 pm

Notify: Chris Kinnett, GAGE

In Support of Economic Development Incentives
Offered to Mead Johnson & Company, LLC by the
City of Evansville to Expand Operations in the
Facility at 2404 W. Lloyd Expressway, Evansville,
Indiana, 47710

PUBLIC WORKS COMMITTEE:

Re: **Resolution C-2014-39 Amended**

Time: 5:25 pm

Notify: Scott Danks

CHAIRMAN AL LINDSEY

Renaming a Certain Section of a Street/Roadway
"Rick Davis Way"

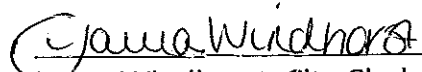
ADJOURNMENT

President Friend: I need a motion to...


Councilwoman Robinson: *(Off Mic)* Second.

President Friend: I have a motion made by Councilman O'Daniel and seconded by Councilwoman Robinson. Ayes? We're adjourned at three after seven.

Meeting adjourned at 7:03 p.m.



Laura Windhorst, City Clerk



John Friend, President